

## **9 FAM 41.111 Procedural Notes**

(TL:VISA-535; 04-14-2003)  
(Office of Origin: CA/VO/L/R)

### **9 FAM 41.111 PN1 Requirements for Reissuance in United States of E, H, I, L, O, and P Visas**

(TL:VISA-535; 04-14-2003)

a. Before the Department will entertain an application for reissuance (or renewal) of an E, H, I, L, O, or P nonimmigrant visa in the United States under 22 CFR 41.111(b)(2), the following conditions must be met:

(1) The alien's passport must be valid for at least six months from the date of his or her entry into the United States. *(See 9 FAM 104, Exhibit I for a list of countries whose passports are extended for an additional 6 months.)* Also, the alien's nationality must be the same as it was when the previous visa was issued;

(2) The passport (or accompanying previous passport) must contain a previous visa bearing the same classification as that which is now being sought. The existing visa must not have a remaining validity of more than 60 days, nor may it have been expired for more than one year; and

(3) Each applicant listed in the passport will receive an individual machine-readable visa (MRV), therefore, the passport must contain an unmarked page where *each individual* U.S. visa is to be placed.

b. The Visa Office (VO/P/D) is authorized to replace mutilated or lost visas only if the:

(1) Visa was previously issued in the Department within the last 12 months;

(2) Department still has a record of the reissuance; and

(3) Applicant presents all documentation and fees as required for a new visa.

## **9 FAM 41.111 PN2 Documentation and/or Requirements for Reissuance in United States of E, H, I, L, O, and P Visas**

*(TL:VISA-535; 04-14-2003)*

*The following documents and/or requirements are necessary for revalidation (or reissuance) of a visa in the United States.:*

*(1) A passport as described in 9 FAM 41.111 PN1. Applicants for visa revalidation in the United States must present the passport bearing the most recent E, H, I, L, O, or P visa, which must not have been expired more than 12 months. Each applicant receives an individual visa, and each machine readable visa (MRV) covers a full passport page. Therefore, passports must contain a blank, unmarked visa page for each U.S. visa to be placed in the passport. Remove extraneous pieces of paper from the passport.*

*(2) A properly executed TYPED Form DS-156, Nonimmigrant Visa Application, (February 2003 version) is required for each applicant. If Form DS-156 is reproduced, it must be trimmed to the size of the original form. When completing Form DS-156, the month of birth must be spelled out (i.e., "January 2" — NOT 1-2 or 2-1). The Form DS-156 may be obtained at [www.travel.state.gov](http://www.travel.state.gov). The Visa Office (VO/P/D) does not provide copies of Form DS-156. If Form DS-156 is incomplete or improperly filled out, the passport(s) will be returned without visas. The supporting documents will also be returned.*

*(3) Each male applicant between 16 and 45 years of age, regardless of nationality, must also submit one TYPED Form DS-157, Supplemental Nonimmigrant Visa Application. All questions in Form DS-157 must be answered. Applicants whose native language is not written in the English alphabet should print their name in their native language in item 3 of Form DS-157. Form DS-157 is available at [www.travel.state.gov](http://www.travel.state.gov). The Visa Office (VO/P/P) does not provide copies of the Form DS-157.*

*(4) A passport size photo for each visa applicant, regardless of age. See 9 FAM 41.113 PN1.2. (Group photos are not acceptable.)*

*(5) The original Form I-94, Arrival Departure Record, annotated by the Department of Homeland Security/Bureau of Customs and Border Protection (DHS/BCBP) officer when the alien was last admitted to the United States. If the dependents are applying separately from the principal alien, certified copies of the principal's Form I-94 (front and back) and his or her visa must be submitted in addition to the other requirements.*

(6) *A non-refundable nonimmigrant visa processing fee for each applicant. The current nonimmigrant visa-processing fee is \$100.00 per applicant. This processing fee must be submitted in a bank draft, corporate check, or money order, made payable to the U.S. Department of State. The visa processing fee and the visa issuance reciprocity fee may be combined in one payment. A family should submit all payments in one bank draft, corporate check, or money order. Cash or personal checks are not acceptable.*

(7) Certain nationalities must also pay the reciprocity fee. The amount of these fees vary from country to country. [See the appropriate reciprocity schedule under the country concerned in 9 FAM Part IV Appendix C.] The reciprocity fee per applicant may be combined with the machine-readable visa fee per applicant into one bank draft, corporate check, or money order.

(8) A self-addressed, postage prepaid envelope or properly prepared courier pack (airbill and courier envelope) for return of the passport(s) and required documentation. *All visa applications and required documentation must be sent to one of the following:*

*FOR U.S. POSTAL SERVICE  
U.S. Department of State/Visa (VO/P/D)  
P.O. Box 952099  
St. Louis, MO 63195-2099  
FAX: 202-663-1608*

*FOR ALL COURIER SERVICES  
U.S. Department of State/Visa (VO/P/D)  
1005 Convention Plaza  
St. Louis, MO 63101-1200  
FAX: 202-663-1608*

*b. The following documentation is required, in addition to those mentioned above, for the categories listed below. A spouse and/or dependent child(ren) applying separately from the principal alien are required to present the same documentation, as well as certified copies of the principal alien's Form I-94 and visa. The dependent must apply for the same visa classification as held by the principal alien.*

**c. For E-1 TREATY TRADER VISAS, each applicant must submit:**

(1) A comprehensive letter addressed to Visa Services (VO/P/D), Department of State, on the business or employer's letterhead, describing in detail the nature and function of the business and the applicant's position;

(2) The letter should demonstrate the alien's entitlement to the E-1 status based on the continued trade between the United States and the country of the applicant's nationality; and

(3) The letter must contain a statement of unequivocal intent that the applicant will depart the United States when the E status ends. The letter should bear an original signature.

**d. For E-2 TREATY INVESTOR VISAS, each applicant must submit:**

(1) A comprehensive letter addressed to Visa Services (VO/P/D), Department of State, describing in detail the nature and function of the investment and the extent of the principal alien's participation in the investment. The letter should also contain a statement of the applicant's unequivocal intent to depart the United States when the E status ends; and

(2) A copy of the investment's most recent financial statement

**e. For H VISAS, each applicant must submit:**

(1) A comprehensive letter addressed to Visa Services (VO/P/D), Department of State, on the business or employer's letterhead identifying the applicant, and describing in detail the nature of the applicant's position. The letter must bear an original signature; and

(2) A valid Form I-797A, *Notice of Action* (top and bottom portions).

**f. For I VISA, each applicant must submit:**

(1) A comprehensive letter addressed to Visa Services (VO/P/D), Department of State, on the business or employer's letterhead; and

(2) The letter should contain an original signature and should identify the applicant, describing in detail the nature and function of his or her position.

**g. For L VISAS, each applicant must submit:**

(1) A letter on business or employer's letterhead addressed to Visa Services (VO/P/D), Department of State. The letter should bear an original signature;

(2) The letter should explain in detail the applicant's position, and nature and function of the business; and

(3) The top and bottom portions of valid Form I-797A.

**h. For O AND P VISAS, each applicant must submit:**

(1) A comprehensive letter on business or employer's letterhead addressed to Visa Services (VO/P/D), Department of State;

(2) The letter should describe in detail the nature and function of the business and contain an original signature. The applicant should be identified as well as the nature and function of his or her position;

(3) The top and bottom portions of valid Form I-797A; and

(4) O-2 and P visa applicants must submit a statement indicating that they have a residence abroad which they have no intention of abandoning.